

Remarks

Claims 1-3, 5-32, 36, 37, 39, 69-73 and 77 are pending in the application upon entry of the above amendment.

Claim 74 has been cancelled. All claim amendments and cancellations are made without prejudice to the filing of one or more continuing applications.

Applicants thank Examiner for the courtesy extended during the examiner-initiated telephonic interview of January 15, 2010 with the undersigned attorney for applicants. The Examiner indicated that claims 28, 29, 30, 31 and 39 were rejoined, and that claims 1-3, 5-32, 36, 37, 39 and 77 were allowable.

Process claim 69 was discussed. Examiner indicated that claim 69 would be allowable upon amendment of the scope of the compound produced to conform to the scope of the relevant compound claim. Claim 69 has therefore been amended to depend from claim 3. Claim 3 recites *E*-configuration compounds. In view of the allowability of claim 3, claim 69, as amended, is likewise allowable.

Applicants' attorney requested the rejoinder of claims 70-73. Examiner indicated that claims 70 and 71, which depend from claim 69, would be rejoined and deemed allowable based on the aforementioned proposed amendment to claim 69.

Examiner indicated that process claims 72 and 73 would be rejoined and deemed allowable upon amendment of the scope of the compound produced to conform to the scope of the relevant compound claim. Claim 72 has therefore been amended to depend from claim 2. Claim 2 recites *Z*-configuration compounds. In view of the allowability of claim 2, claim 72, as amended, is likewise allowable. Claims 73 depends from claim 72, and is therefore similarly allowable.

This paper has been expressly requested by the examiner, carrying into effect agreements reached between applicants' attorney and the Examiner. As such, the period between the previous response of Nov. 16, 2009 and the present paper does not constitute a period of "applicant delay" for purposes of Patent Term Adjustment under 37 CFR 704(c)(8).

The claims remaining in the application are condition for allowance. An early action toward that end is earnestly solicited.

Respectfully submitted,

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